

**Retirement Board**

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Memorandum

To: Retirement Liaison Officers  
From: Cheryl Price, Operations Officer  
Date: October 1, 2018  
Re: Public Employees' Retirement System Official Policies

The Public Employees' Retirement Board has approved for notice the **adoption of new policies and the re-adoption of all previously adopted policies** of the Board in accordance with NRS 286.200(2)(b), which states:

As soon as a public employer receives a copy of the proposed rule, the public employer immediately shall cause the copy to be posted on a bulletin board or in some conspicuous place in or near its headquarters.

Please comply with this statute.

The public hearings on the revised policies will take place no earlier than 11:00 a.m. on October 18, 2018, in the PERS' Board Room, 5740 S. Eastern Avenue, Suite 120, **Las Vegas** and 11:30 a.m. on November 15, 2018, in the PERS' Board Room, 693 W. Nye Lane, **Carson City**. Any person wishing to testify should be in attendance at either meeting. The revised policies may be adopted, as proposed or as modified by the Retirement Board, at the November 15, 2018, meeting and become effective January 1, 2019, or as indicated.

The following pages include the proposed changes to the policies; additions are underlined and deletions have a strikethrough line.

286.025(2) 1.7 CALL-BACK PAY –

- a. Except as it may conflict with the Nevada Administrative Code at 284.214, call-back pay is defined as compensation earned for returning to duty after a member has completed his regular shift, is off duty for any period of time, and is requested to return to duty with less than 12 hours' notice. [Call-back is reportable for the duration of the initial shift and cannot exceed 24 hours.](#)
- b. Scheduling the 12-hour rule set forth in subsection (a) will be activated by the electronic call-out required for the shift scheduling from the public employer. Any electronic response system must comply with the 12-hour rule and not allow the employee call-in response to govern notification for purposes of the 12-hour rule.
- c. An employer may not convert what would otherwise be an overtime shift to a call-back shift by waiting until there is less than 12 hours' notice to request a return to duty, if the employer has knowledge more than 12-hours before the start of the shift to be staffed, either through notification or through normal staffing policies, of the staffing need.
- d. This policy applies to all members with an effective date of membership on or before June 30, 2008.

286.025(2) 1.7 CALL-BACK PAY –

- a. Except as it may conflict with the Nevada Administrative Code at 284.214, call-back pay is defined as compensation earned for returning to duty after a member has completed his regular shift and is requested to return to duty with less than 12 hours' notice to respond to an emergency, except for any member who is (1) called into work while on standby status, (2) not required to leave the premises where he is residing or located at the time of notification in order to respond, or (3) called back to work if the work begins 1 hour or less before or after his scheduled work shift. [Call-back is reportable for the duration of the initial shift and cannot exceed 24 hours.](#)
- b. For the purposes of this Policy 1.7, "emergency" means a sudden, unexpected occurrence that involves clear and imminent danger and requires immediate action to prevent or mitigate the endangerment of lives, health, or property. Such an emergency must be declared by the governing body or chief administrative officer of the public employer.
- c. Scheduling the 12-hour rule set forth in subsection (a) will be activated by the electronic call-out required for the shift scheduling from the public employer. Any electronic response system must comply with the 12-hour rule and not allow the employee call-in response to govern notification for purposes of the 12-hour rule.
- d. An employer may not convert what would otherwise be an overtime shift to a call-back shift by waiting until there is less than 12 hours' notice to request a return to duty, if the employer

has knowledge more than 12-hours before the start of the shift to be staffed, either through notification or through normal staffing policies, of the staffing need.

- e. This policy applies to all members with an effective date of membership on or after July 1, 2008.

286.025

1.7

CALL-BACK PAY –

- a. Returning to duty within 12 hours after one’s regular working hours to respond to an emergency. Call-back is reportable for the duration of the initial shift and cannot exceed 24 hours.
- b. As used in this Policy 1.7(a), “emergency” means a sudden, unexpected occurrence that is declared by the governing body or chief administrative officer of the public employer to involve clear and imminent danger and require immediate action to prevent and mitigate the endangerment of lives, health or property.
- c. This policy applies to all members with an effective date of membership on or after January 1, 2010.

286.29~~7~~3

2.4

- a. Except as otherwise provided in subsection c of this Policy 2.4, persons employed in intermittent positions shall be enrolled from the first day worked in the fiscal year if the employment exceeds 1,039 hours in a fiscal year.
- b. Persons employed by a school district in intermittent positions, whose work is based on the school year, shall be enrolled from the first day worked in the school year if the employment exceeds 719 hours in a school year.
- c. Persons employed in intermittent positions by a public employer, other than a school district, that has certified a work schedule with a full-time work week of less than 40 hours per week, shall be enrolled from the first day worked in the fiscal year if the employment meets or exceeds the number of hours that is one-half of the work hours for that public employer in the fiscal year as determined by that public employer’s certified work schedule.

286.200

3.29

For each person establishing eligibility to receive a distribution in accordance with Policy 3.26, prior to January 1, 1992, the System will pay simple interest at the actuarially determined rate per annum (presently ~~8~~ 7.5%) on initial distributions of contributions to affected employees, from the time of termination of employment for which contribution is required until the distribution is paid, providing that period of time exceeds 1 month.

286.300

6.6

Members must pay the full actuarial cost of service as determined by an actuary of the System other than purchases pursuant to Policy 6.5. The cost to purchase service is calculated using the purchase percentage corresponding to the age and average compensation of the member at

time of purchase. The actuarially developed purchase percentages for regular members are as follows:

Members Hired Prior to 1/1/2010:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	16.9	47	29.5	64	31.8
31	17.5	48	30.5	65	31.0
32	18.1	49	31.5	66	30.1
33	18.7	50	32.6	67	29.3
34	19.3	51	33.7	68	28.4
35	19.9	52	34.9	69	27.6
36	20.6	53	36.0	70	26.7
37	21.3	54	37.3	71	25.8
38	22.0	55	38.6	72	24.9
39	22.7	56	37.9	73	24.1
40	23.4	57	37.2	74	23.2
41	24.2	58	36.5	75	22.3
42	<u>25.0</u>	59	35.7	76	21.4
43	25.9	60	35.0	77	20.5
44	26.7	61	34.2	78	19.6
45	27.6	62	33.4	79	18.7
46	28.5	63	32.6	80	17.8

Effective until June 30, 2019.

Members Hired Prior to 1/1/2010:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	19.7	47	33.6	64	32.0
31	20.3	48	34.7	65	31.3
32	21.0	49	35.8	66	30.6
33	21.6	50	37.0	67	29.8
34	22.3	51	38.2	68	29.1
35	23.0	52	39.4	69	28.3
36	23.8	53	40.7	70	27.5
37	24.5	54	42.1	71	26.7
38	25.3	55	43.5	72	25.9
39	26.1	56	43.3	73	25.0
40	26.9	57	43.1	74	24.2
41	27.8	58	43.0	75	23.3
42	28.7	59	42.8	76	22.5
43	29.6	60	34.7	77	21.6
44	30.5	61	34.0	78	20.8
45	31.5	62	33.4	79	19.9
46	32.5	63	32.7	80	19.0

Effective July 1, 2019.

Members Hired on or After 1/1/2010:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	15.9	47	27.6	64	29.8
31	16.4	48	28.6	65	29.0
32	16.9	49	29.5	66	28.2
33	17.5	50	30.5	67	27.4
34	18.1	51	31.6	68	26.6
35	18.6	52	32.6	69	25.8
36	19.3	53	33.8	70	25.0
37	19.9	54	34.9	71	24.2
38	20.6	55	36.1	72	23.4
39	21.2	56	35.5	73	22.5
40	21.9	57	34.8	74	21.7
41	22.7	58	34.1	75	20.8
42	23.4	59	33.4	76	20.0
43	24.2	60	32.7	77	19.2
44	25.0	61	32.0	78	18.3
45	25.9	62	31.3	79	17.5
46	26.7	63	30.5	80	16.7

Effective until June 30, 2019.

Members Hired Between 1/1/2010 and 6/30/2015:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	18.4	47	31.5	64	30.0
31	19.0	48	32.5	65	29.3
32	19.7	49	33.5	66	28.7
33	20.2	50	34.6	67	27.9
34	20.9	51	35.8	68	27.2
35	21.5	52	36.9	69	26.5
36	22.3	53	38.1	70	25.7
37	22.9	54	39.4	71	25.0
38	23.7	55	40.7	72	24.3
39	24.4	56	40.5	73	23.4
40	25.2	57	40.4	74	22.7
41	26.0	58	40.3	75	21.8
42	26.9	59	40.1	76	21.1
43	27.7	60	32.5	77	20.2
44	28.6	61	31.8	78	19.5
45	29.5	62	31.3	79	18.6
46	30.4	63	30.6	80	17.8

Effective July 1, 2019.

Members Hired On or After 7/1/2015:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	14.4	47	24.4	64	27.0
31	14.8	48	25.2	65	26.4
32	15.3	49	26.1	66	25.8
33	15.8	50	26.9	67	25.1
34	16.3	51	27.8	68	24.5
35	16.8	52	28.7	69	23.8
36	17.3	53	29.7	70	23.2
37	17.9	54	30.6	71	22.5
38	18.4	55	31.7	72	21.8
39	19.0	56	31.2	73	21.1
40	19.6	57	30.7	74	20.4
41	20.2	58	30.2	75	19.7
42	20.9	59	29.7	76	19.0
43	21.5	60	29.2	77	18.2
44	22.2	61	28.7	78	17.5
45	22.9	62	28.1	79	16.8
46	23.7	63	27.6	80	16.0

Effective July 1, 2019.

These percentages apply even if service is purchased at time of retirement.

- SB 173  
(1973)  
286.200
- 9.4 A surviving spouse or survivor beneficiary of an unmarried member whose benefits were canceled before July 1, 1977, because of restrictions on the amount of permissible earnings, which were removed in 1975, is entitled to the reinstatement of monthly benefits as of the date of application if the refund of unused employee contributions is repaid to the System including interest at the rate of ~~8~~ 7.5% per annum from the date of the refund.
- 286.470(1)
- 10.10 (a) The unmodified allowance for a County Commissioner, Councilman, or Mayor shall be calculated upon the average compensation and service factor for that service. Except as authorized in NRS 286.470(3) and Policy 10.10(b), if there is also service in a regular position, that unmodified allowance shall be calculated separately and then combined with the County Commissioner, Councilman, or Mayor unmodified allowance.
- (b) If a member who has service as a County Commissioner, Councilman or Mayor has an average salary for the entire period of elective service that is equal to or greater than the average salary of a member for regular service for the same period, the calculations required pursuant to NRS 286.470(3) and Policy

10.10(a) do not apply and the member must receive credit for regular service.

- (c) To be eligible for the calculation in accordance with NRS 286.470(3) and Policy 10.10(b), the average salary of a member for regular service is as follows:

Fiscal Year	Average Salary
1971*	\$ 9,000
1972*	\$ 9,500
1973*	\$ 9,750
1974	\$10,241
1975	\$10,962
1976	\$11,001
1977*	\$11,587
1978	\$12,174
1979	\$13,118
1980	\$14,062
1981*	\$15,940
1982	\$17,819
1983	\$18,974
1984	\$20,129
1985*	\$21,084
1986	\$22,039
1987*	\$23,103
1988	\$24,168
1989	\$25,004
1990	\$26,186
1991	\$27,650
1992	\$28,931
1993	\$30,383
1994	\$30,511
1995	\$31,190
1996	\$31,420
1997	\$32,149
1998	\$32,714
1999	\$33,397
2000	\$35,185
2001	\$36,615
2002	\$38,106
2003	\$39,193
2004	\$40,069
2005	\$40,901
2006	\$41,929
2007	\$43,355
2008	\$46,159
2009	\$48,151
2010	\$49,407
2011	\$49,248
2012	\$48,808
2013	\$48,626
2014	\$48,057
2015	\$47,840

2016  
2017

\$47,922  
\$49,502

\*Estimated actuarial valuations not performed in odd-numbered years prior to 1988.

286.541      10.17      Proof of birth date and continuity of name change may be established by any one of the documents listed in Group 1 or any two of the documents listed in Group 2 below:

GROUP 1

- a. Birth certificate.
- b. Infant baptism certificate, or certified copy.
- c. Delayed certificate of birth.

GROUP 2

- a. School age record, or certified copy.
- b. Military service record, or certified copy.
- c. Marriage record, if date of birth is shown, or certified copy.
- d. Naturalization certificate of individual, or of parents, providing participant's age is stated.
- e. Transcript of record from U.S. Bureau of Census.
- f. Certified copy of the family record in the family Bible stating:
  - 1. Name of person who entered date of birth in Bible.
  - 2. When date of birth was entered.
  - 3. Explanation of any corrections.
  - 4. Date of printing of Bible.
- g. Passport or passport card.
- h. Notarized statement of knowledge by a person who was an adult at time of member's birth.
- i. Motor vehicle records.
- j. Hospital record of birth.
- k. Social Security records.
- l. Voter registration records.
- m. Certified court order.
- n. Any other document over ten years old which lists the person's date of birth.
- o. Death certificate.
- p. Resident alien card.

286.525      10.29      A retired employee who accepts employment in a position eligible for  
286.551(2)      membership may enroll in the System. Contributions must be made on all compensation earned for the duration of that employment even though it may later exceed 36 years of service. Upon termination of employment, he is entitled to receive:

- a. If employed less than six months, a refund of all contributions made by him during the employment.
- b. If employed for at least six months, an additional benefit, which must be calculated separately from the original benefit, or refund of all contributions made by him during the employment.
- c. If employed for at least five years, the retired employee may select any option or designate any beneficiary, for the new benefit only, subject to spouse's concurrence, or the System will calculate a benefit, as provided in Policy 10.31.
- d. Benefits may not exceed 90 percent of average compensation for members enrolled prior to June 30, 1985, and 75 percent of average compensation for members enrolled on or after July 1, 1985.

286.523

10.34

1. A retired employee who accepts employment or an independent contract with a public employer under the System is exempt from the provisions of NRS 286.520, paragraphs 1 and 2, if:
  - (a) He fills a position for which there is a critical labor shortage; and
  - (b) At the time of his reemployment, he is receiving:
    - (1) A benefit that is not reduced for early retirement; or
    - (2) A benefit that is reduced for early retirement but he has reached the required age at which he could have retired without a reduction for early retirement.
  - (c) In order for the exception to apply, the employment cannot be accepted prior to receipt of a service retirement allowance.
2. A retired employee who is reemployed under the circumstances set forth in paragraph 1, may reenroll in the System as provided in NRS 286.525.
3. Positions for which there are critical labor shortages must be determined by the State Board of Examiners for positions in state government; by the Supreme Court for positions in the judicial branch of state government; by the Board of Regents for positions in the University and Community College System of Nevada; by the Department of Education for positions with the various school districts; by the governing body of a local government for positions within that local government entity; and the Board for positions within the System.
4. In determining whether a position is a position for which there is a critical labor shortage, the designating authority shall give consideration to:
  - (a) The history of the rate of turnover for the position;
  - (b) The number of openings for the position and the number of qualified candidates for those openings;
  - (c) The length of time the position has been vacant; and
  - (d) The success of recruiting persons in other states to fill the position.

5. Effective July 1, 2003, the designating authority may not designate any position, not previously designated as a critical labor shortage position, for a period longer than 2 years. To be re-designated as a critical labor shortage position, the designating authority must consider whether the position continues to meet the criteria set forth in paragraph 4.

This Policy 10.34 applies to positions designated as a critical labor shortage position prior to July 1, 2009.

286.523

- 10.34 1. A retired employee who accepts employment or an independent contract with a public employer under the System is exempt from the provisions of NRS 286.520, paragraphs 1 and 2, if:
  - (a) He fills a position for which there is a critical labor shortage; and
  - (b) At the time of his reemployment, he is receiving:
    - (1) A benefit that is not reduced for early retirement; or
    - (2) A benefit that is reduced for early retirement but he has reached the required age at which he could have retired without a reduction for early retirement.
  - (c) In order for the exception to apply, the employment cannot be accepted prior to receipt of a service retirement allowance.
2. A retired employee who is reemployed under the circumstances set forth in paragraph 1, may reenroll in the System as provided in NRS 286.525.
3. Positions for which there are critical labor shortages must be determined in an open public meeting held by the designating authority as follows: by the State Board of Examiners for positions in state government; by the Supreme Court for positions in the judicial branch of state government; by the Board of Regents for positions in the University and Community College System of Nevada; by the boards of trustees of each school district for positions within the school district; the governing body of a charter school for positions within the charter school; by the governing body of a local government for positions within that local government entity; and the Board for positions within the System.
4. In determining whether a position is a position for which there is a critical labor shortage, the designating authority shall make findings based upon the following criteria:
  - (a) The history of the rate of turnover for the position;
  - (b) The number of openings for the position and the number of qualified candidates for those openings after all other efforts of recruitment have been exhausted;
  - (c) The length of time the position has been vacant;
  - (d) The difficulty in filling the position due to special circumstances, including, without limitation, special educational or experience requirements for the position; and

(e) The history and success of the efforts to recruit for the position, including, without limitation, advertising, recruitment outside of this State and all other efforts made.

5. A designating authority shall not designate a position as a position for which there is a critical labor shortage for a period longer than 2 years. To be redesignated as such a position, the designating

authority must consider and make new findings in an open public meeting as to whether the position continues to meet the criteria set forth in paragraph 4.

This Policy 10.34 applies to positions designated as a critical labor shortage position on or after July 1, 2009.

286.300

11.23 The member must pay the full actuarial cost to purchase service as determined by an actuary of the System. The cost to purchase service is calculated using the purchase percentage corresponding to the age and average compensation of the member at time of purchase. The actuarially developed purchase percentages for police/fire members are as follows:

Members Hired Prior to 1/1/2010:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	24.5	47	38.9	64	33.0
31	25.2	48	40.0	65	32.2
32	25.8	49	41.2	66	31.3
33	26.5	50	42.4	67	30.5
34	27.3	51	41.8	68	29.7
35	28.0	52	41.3	69	28.8
36	28.8	53	40.7	70	28.0
37	29.6	54	40.1	71	27.1
38	30.4	55	39.4	72	26.2
39	31.2	56	38.8	73	25.3
40	32.1	57	38.1	74	24.4
41	32.9	58	37.4	75	23.4
42	33.9	59	36.7	76	22.5
43	34.8	60	36.0	77	21.6
44	35.8	61	35.3	78	20.7
45	36.8	62	34.5	79	19.8
46	37.8	63	33.7	80	18.9

[Effective until June 30, 2019.](#)

Members Hired Prior to 1/1/2010:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	32.2	47	52.4	64	34.0
31	33.1	48	53.9	65	33.3
32	34.1	49	55.5	66	32.6
33	35.1	50	57.2	67	31.9
34	36.1	51	56.8	68	31.1
35	37.1	52	56.5	69	30.4
36	38.2	53	56.1	70	29.6
37	39.3	54	55.7	71	28.8
38	40.4	55	39.2	72	28.0
39	41.6	56	38.7	73	27.2
40	42.8	57	38.2	74	26.4
41	44.0	58	37.6	75	25.5
42	45.3	59	37.1	76	24.7
43	46.6	60	36.5	77	23.8
44	48.0	61	35.9	78	22.9
45	49.4	62	35.3	79	22.0
46	50.9	63	34.6	80	21.1

Effective July 1, 2019.

Members Hired on or After 1/1/2010:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	22.9	47	36.4	64	30.9
31	23.6	48	37.5	65	30.1
32	24.2	49	38.6	66	29.4
33	24.8	50	39.7	67	28.6
34	25.5	51	39.2	68	27.8
35	26.2	52	38.6	69	27.0
36	26.9	53	38.1	70	26.2
37	27.7	54	37.5	71	25.4
38	28.4	55	36.9	72	24.5
39	29.2	56	36.3	73	23.7
40	30.0	57	35.7	74	22.8
41	30.9	58	35.0	75	22.0
42	31.7	59	34.4	76	21.1
43	32.6	60	33.7	77	20.2
44	33.5	61	33.0	78	19.4
45	34.4	62	32.3	79	18.5
46	35.4	63	31.6	80	17.7

Effective until June 30, 2019.

Members Hired Between 1/1/2010 and 6/30/2015:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	30.1	47	49.1	64	31.8
31	31.0	48	50.5	65	31.2
32	31.9	49	52.0	66	30.5
33	32.9	50	53.6	67	29.9
34	33.8	51	53.2	68	29.1
35	34.7	52	52.9	69	28.5
36	35.8	53	52.5	70	27.7
37	36.8	54	52.2	71	27.0
38	37.8	55	36.7	72	26.2
39	39.0	56	36.2	73	25.5
40	40.1	57	35.8	74	24.7
41	41.2	58	35.2	75	23.9
42	42.4	59	34.7	76	23.1
43	43.6	60	34.2	77	22.3
44	44.9	61	33.6	78	21.4
45	46.3	62	33.1	79	20.6
46	47.7	63	32.4	80	19.8

Effective July 1, 2019.

Members Hired On or After 7/1/2015:

<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>	<u>Age</u>	<u>Percent</u>
30	21.9	47	35.6	64	31.8
31	22.5	48	36.7	65	31.2
32	23.2	49	37.8	66	30.5
33	23.9	50	38.9	67	29.9
34	24.5	51	38.5	68	29.1
35	25.3	52	38.1	69	28.5
36	26.0	53	37.6	70	27.7
37	26.7	54	37.2	71	27.0
38	27.5	55	36.7	72	26.2
39	28.3	56	36.2	73	25.5
40	29.1	57	35.8	74	24.7
41	30.0	58	35.2	75	23.9
42	30.8	59	34.7	76	23.1
43	31.7	60	34.2	77	22.3
44	32.7	61	33.6	78	21.4
45	33.6	62	33.1	79	20.6
46	34.6	63	32.4	80	19.8

Effective July 1, 2019.

These percentages apply even if service is purchased at time of retirement.

286.6703 13.8 Receipt of a judgment, decree, or order which does not comply with Chapter 286 of NRS, or the System's Policies, will serve as a temporary notice to the System of a forthcoming order regarding distribution of a member's benefit. Any attempts to obtain a refund of contributions ~~or~~ ~~retirement allowance~~ from such member's account will not be allowed for a period of 90 days from receipt by the System of such judgment, decree, or order.